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IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 25, 2008

Senate Chamber

President Risch called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Burkett and Coiner, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Danielle Cotner, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 24, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 25, 2008

The JUDICIARY AND RULES Committee reports that **S 1512**, **S 1513**, and **SP 102** have been correctly printed.

DARRINGTON, Chairman

S 1512 was referred to the Transportation Committee.

S 1513 was referred to the State Affairs Committee.

SP 102 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 24, 2008

The JUDICIARY AND RULES Committee reports that **S 1497**, **S 1498**, **S 1499**, **S 1500**, and **SCR 136** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1497**, **S 1498**, **S 1499**, **S 1500**, and **SCR 136**, and ordered them transmitted to the House for the signature of the Speaker.

March 24, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **S 1393**, **S 1394**, **S 1395**, **S 1398**, as amended, **S 1401**, **S 1420**, as amended, **S 1422**, as amended, **S 1424**, **S 1432**, **S 1433**, as amended, **S 1441**, **S 1443**, **S 1446**, **S 1450**, **S 1477**, **S 1478**, **S 1479**, **S 1480**, **S 1481**, **S 1482**, **S 1483**, **S 1487**, **S 1488**, **S 1489**, **S 1490**, **S 1491**, **S 1492**, **S 1493**, **S 1494**, **S 1495**, and **S 1496** were delivered to the Office of the Governor at 3:45 p.m. on March 24, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 24, 2008

The FINANCE Committee reports out **H 667**, **H 668**, **H 669**, **H 670**, **H 672**, and **H 673** with the recommendation that they do pass.

CAMERON, Chairman

H 667, **H 668**, **H 669**, **H 670**, **H 672**, and **H 673** were filed for second reading.

March 24, 2008

The EDUCATION Committee reports out **S 1404**, as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, **S 1404**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

March 25, 2008

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 661** and **H 599**, as amended, with the recommendation that they do pass.

HILL, Chairman

H 661 and **H 599**, as amended, were filed for second reading.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1515

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS FOR CRIMINAL HISTORY BACKGROUND CHECKS; APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR FISCAL YEAR 2009; AND APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE POLICE FOR THE SUPPORT SERVICES PROGRAM FOR FISCAL YEAR 2009.

S 1516

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SECRETARY OF STATE FOR FISCAL YEAR 2009.

S 1517

BY FINANCE COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2009; REDUCING THE FULL-TIME EQUIVALENT POSITION AUTHORIZATION TO THE DEPARTMENT OF LANDS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2009; AND AUTHORIZING ONE ADDITIONAL FULL-TIME EQUIVALENT POSITION TO THE DEPARTMENT OF ADMINISTRATION.

S 1518

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS FOR COMMUNITY COLLEGE SUPPORT FOR FISCAL YEAR 2009; AND DIRECTING THE ALLOCATION OF FUNDS.

S 1519

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING AND DIRECTING THE TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE COMMUNITY HEALTH CENTER GRANT FUND; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE COMMUNITY HEALTH CENTER GRANT PROGRAM WITHIN THE PHYSICAL HEALTH SERVICES PROGRAM FOR FISCAL YEAR 2009; AND PROVIDING LEGISLATIVE INTENT.

S 1515, S 1516, S 1517, S 1518, and S 1519 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 592, by State Affairs Committee, was read the second time at length and filed for third reading.

H 451, as amended, by Business Committee, was read the second time at length and filed for third reading.

H 618, by Education Committee, was read the second time at length and filed for third reading.

H 559, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1485, by State Affairs Committee, was read the second time at length and filed for third reading.

H 630, by Ways and Means Committee, was read the second time at length and filed for third reading, Consent Calendar.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Burkett and Coiner were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, **SJR 105** retained its place on the Third Reading Calendar for one legislative day.

H 646 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 646** passed, title was approved, and the bill ordered returned to the House.

H 647 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 647** passed, title was approved, and the bill ordered returned to the House.

H 649 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 649** passed, title was approved, and the bill ordered returned to the House.

H 651 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 651** passed, title was approved, and the bill ordered returned to the House.

H 658 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 658** passed, title was approved, and the bill ordered returned to the House.

H 659 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 659** passed, title was approved, and the bill ordered returned to the House.

H 660 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 660** passed, title was approved, and the bill ordered returned to the House.

Pursuant to Senate Rule 14(E), Senator Kelly called for **S 1302** to be reported forthwith from the State Affairs Committee.

Moved by Senator McKenzie, seconded by Senator Davis, that the State Affairs Committee be excused from reporting out **S 1302**.

Roll call vote was requested by Senators Langhorst, Kelly, and Werk.

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner. Total - 28.

NAYS--Bilyeu, Burkett, Kelly, Langhorst, Sagness (Malepeai), Stennett, Werk. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared that the motion did prevail, the committee was excused from reporting out **S 1302**, and the bill could not be called for again, pursuant to Senate Rule 14(E).

Pursuant to Senate Rule 14(E), Senator Werk called for **S 1376** to be reported forthwith from the State Affairs Committee.

Moved by Senator Lodge, seconded by Senator Darrington, that the Health and Welfare Committee be excused from reporting out **S 1376**.

Roll call vote was requested by Senators Stennett, Kelly, and Werk.

The question being, "Shall the motion prevail?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner. Total - 28.

NAYS--Bilyeu, Burkett, Kelly, Langhorst, Sagness (Malepeai), Stennett, Werk. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared that the motion did prevail, the committee was excused from reporting out **S 1376**, and the bill could not be called for again, pursuant to Senate Rule 14(E).

H 665 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 665** passed, title was approved, and the bill ordered returned to the House.

H 666 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **H 666** passed, title was approved, and the bill ordered returned to the House.

S 1356, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **S 1356**, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1374, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **S 1374**, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

S 1426, as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President declared **S 1426**, as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 11:55 a.m. until the hour of 2:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2:15 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senators McGee and Schroeder, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 25, 2008

The JUDICIARY AND RULES Committee reports that **S 1356**, as amended in the House, **S 1374**, as amended in the House, and **S 1426**, as amended in the House, have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1356**, as amended in the House, **S 1374**, as amended in the House, and **S 1426**, as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

March 25, 2008

The FINANCE Committee reports out **H 532** with the recommendation that it do pass.

CAMERON, Chairman

H 532 was filed for second reading.

March 25, 2008

The STATE AFFAIRS Committee reports out **S 1506** with the recommendation that it do pass.

McKENZIE, Chairman

S 1506 was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

Senators McGee and Schroeder were recorded present at this order of business.

March 25, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that James C. Hammond of Post Falls, Idaho, was appointed as a member of the Idaho State Building Authority to serve a term commencing January 1, 2007, and expiring January 1, 2012.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

March 25, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that J. Philip Reberger of Boise, Idaho, was appointed as a member of the Idaho State Building Authority to serve a term commencing January 1, 2007, and expiring January 1, 2012.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

March 25, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am transmitting today to the Office of the Secretary of State, the following Senate Bill, which will be allowed to become law without my signature:

S 1464

within the time limited by law.

Idaho's economy, like the nation's, has slowed. That has reduced the amount of tax revenue state government can expect to have available to pay for necessary and proper public services in fiscal 2009. Yet there remains a level of responsibility that state government has to performing constitutional duties. That is the case in the Office of the State Appellate Public Defender. By removing \$134,700 in recommended funding to put the pay for attorneys in the Appellate Public Defender's office on a par with their counterparts in the Attorney General's office, we are sending a subtle but unmistakable message that our commitment is greater to prosecution than to ensuring citizens' rights to due process of law. By removing \$82,000 in recommended funding for one

appellate unit attorney in order to reduce the office's caseload to better comply with national standards, we are relegating appeals proceedings to second-class status and slowing down the wheels of justice. I hope and trust that the Legislature will address these issues when the revenue picture is more favorable to state government complying with all its constitutional responsibilities.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 25, 2008

Mr. President:

I transmit herewith **H 654**, as amended, which has passed the House.

ALEXANDER, Chief Clerk

H 654, as amended, was filed for first reading.

March 25, 2008

Mr. President:

I transmit herewith Enrolled **H 489**, as amended, **H 491**, as amended in the Senate, **H 550**, **H 556**, **H 586**, and **H 657** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 489**, as amended, **H 491**, as amended in the Senate, **H 550**, **H 556**, **H 586**, and **H 657**, and ordered them returned to the House.

March 25, 2008

Mr. President:

I return herewith Enrolled **S 1435**, as amended, **S 1444**, as amended, and **S 1449**, as amended, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1435**, as amended, **S 1444**, as amended, and **S 1449**, as amended, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 25, 2008

Mr. President:

I return herewith **S 1502**, **S 1504**, **S 1505**, **S 1438**, as amended, **SCR 138**, **SCR 139**, **SCR 137**, **S 1343**, and **S 1511**, which have passed the House.

ALEXANDER, Chief Clerk

S 1502, **S 1504**, **S 1505**, **S 1438**, as amended, **SCR 138**, **SCR 139**, **SCR 137**, **S 1343**, and **S 1511** were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

H 654, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 592** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 592 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Jorgenson, Kelly, Keough, Langhorst, Lodge, McGee, McKague, Richardson, Sagness (Malepeai), Siddoway, Stennett, Werk. Total - 27.

NAYS--Bair, Gannon (Gannon), Hill, Little, McKenzie, Pearce, Schroeder, Stegner. Total - 8.

Total - 35.

Whereupon the President declared **H 592** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:30 p.m. until the hour of 9:30 a.m., Wednesday, March 26, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary